

**BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554**

In the Matter of

T-SYSTEMS NORTH AMERICA, INC.

**Application for Authority Under Section 214 of the
Communications Act of 1934, as Amended, to Operate
as a Resale Carrier and as a Facilities-Based Carrier Between
the U.S. and Croatia and Between the U.S. and Macedonia**

ATTACHMENT 1

Response to Question 9

T-Systems North America, Inc. (“T-Systems North America”) requests streamlined processing of this application pursuant to Section 63.12 of the Commission’s Rules. Streamlined processing is appropriate under Section 63.12(c)(v) of the Commission’s Rules because while T-Systems North America has foreign carrier affiliates in both Croatia and Macedonia, both Croatia and Macedonia are members of the WTO and T-Systems North America will accept dominant carrier treatment for both routes.

Response to Question 11

T-Systems North America is not a foreign carrier, but is affiliated with foreign carriers in the specified destination countries. Responses to Sections 63.18(i) through (m) follow:

- (i) As evidenced by the signature to this Application, T-Systems North America certifies that it is affiliated with a foreign carrier that operates in Croatia and Macedonia.¹
- (j) As evidenced by the signature to this Application, T-Systems North America certifies that one of its parent companies, Deutsche Telekom AG (“DTAG”), controls the incumbent wireline carrier (and its subsidiaries) in both Croatia (Hrvatske telekomunikacije d.d., or “HT”) and Macedonia (Makedonski Telekomunikacii, or “Maktel”).
- (k) Both Croatia and Macedonia are members of the WTO.

¹ To ensure that the Commission has an accurate list of foreign affiliations, T-Systems North America includes a complete list in *Exhibit A*. With the grant of this Application, T-Systems North America will be regulated as a dominant carrier on five (5) routes: Germany, Hungary, Slovakia, Macedonia, and Croatia. On all other routes on which T-Systems North America has a foreign carrier affiliate, T-Systems North America's affiliate lacks 50 percent market share in the international transport and the local access markets on the foreign end of the route.

Response to Question 11 (Cont.)

- (l) T-Systems North America will file quarterly traffic reports as required by Section 43.61(c) of the Commission's Rules.
- (m) T-Systems North America will accept regulation as a dominant carrier on routes for both Croatia and Macedonia.

Response to Question 12

T-Systems North America seeks authority to provide service to Croatia and Macedonia. These destinations are described in paragraphs (1) through (4) of Section 63.18(j) because one of T-Systems North America's parent companies, DTAG, controls the incumbent wireline carrier (and its subsidiaries) in both Croatia (HT) and Macedonia (Maktel).

Response to Question 14

T-Systems North America is a wholly-owned, indirect subsidiary of DTAG, whose postal address is Postfach 20 00, 53105 Bonn, Germany. DTAG is a corporation organized under the laws of Germany and is the primary provider of telecommunications services in Germany. The only ten percent or greater shareholders of DTAG are the Federal Republic of Germany (the "Federal Republic"), which holds approximately 26 percent of DTAG's stock, and the Kreditanstalt für Wiederaufbau ("KfW"), which holds approximately 17 percent of the stock. KfW, located at Palmgartenstrasse 5-9, 60325 Frankfurt, Germany, is a corporation organized under the laws of Germany whose principal business is development banking. The only ten percent or greater shareholders of KfW are the Federal Republic (80 percent) and the German state governments (20 percent). No other shareholders in DTAG hold ten percent or more of T-Systems North America under the FCC's ownership attribution rules. There are no interlocking directors.

Response to Question 15

- 63.18 (d) T-Systems North America was granted Section 214 authority in File No. ITC-214-20020927-00514 to serve all locations except Croatia and Macedonia. This authorization was originally granted to an affiliated company, T-Systems, Inc., and was transferred to T-Systems North America on a *pro forma* basis as T-Systems North America advised the Commission by letter dated October 29, 2003.

Response to Question 15 (Cont.)

- 63.18 (e)(3) T-Systems North America is applying for authority to operate as a resale carrier and as a facilities-based carrier for the provision of service to Croatia and Macedonia. T-Systems North America seeks this authority pursuant to Section 63.18(e)(3) of the Commission's Rules. T-Systems North America specifically seeks authority to provide services and use facilities as generally described in Sections 63.22 and 63.23 of the Commission's Rules. By the signature to this Application, T-Systems North America certifies that it will comply with the terms and conditions contained in Sections 63.21, 63.22 and 63.23 of the Commission's Rules.
- 63.18 (g) T-Systems will use previously authorized facilities in providing its facilities-based services and thus this Application is categorically excluded from environmental processing under Section 1.1306 of the Commission's Rules.

EXHIBIT A

**T-SYSTEMS NORTH AMERICA FOREIGN AFFILIATIONS
AND REGULATORY TREATMENT**

<u>Country</u>	<u>Name(s) of Foreign Carrier Affiliates</u>	<u>Regulatory Treatment</u>
Austria	T-Mobile Austria	Non-dominant
Belgium	T-Systems Belgium, NV	Non-dominant
Canada	T-Systems Canada Inc. (previously known as Deutsche Telekom (Canada) Inc.)	Non-dominant
Croatia	Hrvatske telekomunikacije d.d. and in-country subsidiaries	Dominant
Czech Republic	T-Mobile Czech Republic (formerly known as RadioMobil); T-Systems PragoNet (formerly known as PragoNet)	Non-dominant
France	T-Systems France SAS	Non-dominant
Germany	Deutsche Telekom AG and in- country subsidiaries	Dominant
Hong Kong	T-Systems China Ltd.	Non-dominant
Hungary	Matav and in-country subsidiaries	Dominant
Italy	T-Systems Italia, S.p.A.	Non-dominant
Japan	T-Systems Japan K.K. (previously known as Deutsche Telekom K.K. Tokyo)	Non-dominant

EXHIBIT A

**T-SYSTEMS NORTH AMERICA FOREIGN AFFILIATIONS
AND REGULATORY TREATMENT**

<u>Country</u>	<u>Name(s) of Foreign Carrier Affiliates</u>	<u>Regulatory Treatment</u>
Macedonia	Makedonski Telekomunikacii and in-country subsidiaries	Dominant
Netherlands	T-Mobile Netherlands b.v.	Non-dominant
Poland	Polska Telfomia Cyfrowa Sp.z.o.o	Non-dominant
Russia	MTS, OJSC Mobile TeleSystems	Non-dominant
Singapore	T-Systems Singapore Pte Ltd.	Non-dominant
Slovakia	Slovak Telecom and in-country subsidiaries	Dominant
Spain	T-Systems ELTEC, S.A.	Non-dominant
Switzerland	T-Systems Schweiz AG	Non-dominant
U.K.	T-Mobile UK; T-Systems Ltd.	Non-dominant